

REMARKS

The Office Action dated December 6, 2006 has been received and its contents carefully noted. In response thereto, applicants have amended some of the existing claims, canceled some claims and added some claims in an effort to place the application in condition for allowance. Reconsideration of the rejections of the claims is respectfully requested in view of the foregoing amendments and the following remarks.

Allowable Subject Matter

Applicants appreciate the indication that claims 3, 13, 20, 24 and 27 contain allowable subject matter. In this amendment, the limitations of claim 3 have been incorporated into independent claims 1 and 17 and the limitations of claim 20 have been incorporated into independent claim 19. Claim 13 has been rewritten in independent form as claim 36 to include essentially all the limitations of claims 1 and 13. In claim 36, the claim language of claims 1 and 13 has been modified so the limitations therein would integrate properly together. Claim 24 has been rewritten in independent form as claim 41 to include essentially all the limitations of claims 19 and 24. Claim 51 is a combination of claims 17 and 27. In claim 51, the claim language of claims 17 and 27 has been modified so the limitations therein would integrate properly together. In each of claims 1, 17, 19, 36, 41 and 51, the phrase "said head having bristles disposed thereon" has been removed from subsection (a) as it appeared to be duplicative of the "bristles" set forth in subsections (b) and (d). Claims 3 and 20 have been canceled

Appropriate amendments have been made to many of the dependent claims to clarify the same. Appropriate dependent claims 28-35 have been added to claim 17. Appropriate dependent claims have also been added to independent claims 36, 41 and 51. Accordingly, claims 1-2, 4-19 and 21-56 are believed to be in condition for allowance.

Claim Rejections - 35 U.S.C. §§ 102 and 103

Turning now to the rejections under 35 U.S.C. §§ 102 and 103, claims 1, 2, 5, 6-8, 11, 12, 14-19, 22, 23, 25 and 26 have been rejected as completely shown by Eliav et al. (U.S. Patent No. 6,813,793) while claims 4, 9, 10 and 21 have been rejected as obvious in view of Eliav. In the Office Action, the Examiner explains how the reference is being applied to these claims. Applicants respectfully disagree with these rejections for the following cogent reasons.

Referring to Figs. 7-8 of the present application, the invention involves a movable bristle holder 255 which has a protuberance 256 which intermittently engages bristles 270 on the static portion of the toothbrush head to move the bristles 270 through an angle A (Figs. 9-10). As shown in Figs. 13-22, the protuberance can be located on different parts of the movable bristle holder to engage bristles in different parts of the static portion of the toothbrush head. In another embodiment shown in Figs. 23-24, the bristles 390 (only one shown) are movable up and down in the static portion 391 of the toothbrush head and are engaged intermittently by protuberance 393 of the movable bristle holder 397.

In indicating allowable subject matter in claims 3, 13, 20, 24 and 27, the Examiner recognizes that the Eliav reference does not show subject matter of these claims. As applicants have incorporated the novel features of these claims into the independent claims 1, 17, 19, 36, 41 and 51, it appears as though the Sections 102 and 103 rejections based on the Eliav reference are moot and should be withdrawn.

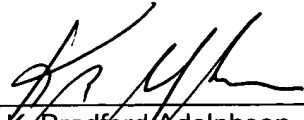
Accordingly, it is submitted that the present invention as claimed is readily distinguishable from the prior art reference for the reasons indicated. Applicants' invention is not disclosed by any of the prior art and there is no fair basis for alleging that applicants' invention is obvious in regard to such prior art. If the invention was obvious, it would have been adopted before in view of its advantages.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims are allowable and early favorable action is earnestly solicited. The Examiner is invited to call applicants' attorney if any questions remain following review of this response.

Respectfully submitted,

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